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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,443	10/18/2002	Frederique Segond	D/A2447	1355

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EXAMINER
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ARMSTRONG, ANGELA A

ART UNIT	PAPER NUMBER
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2626

MAIL DATE	DELIVERY MODE
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03/05/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/065,443

**Applicant(s)**

SECOND ET AL.

**Examiner**

ANGELA A. ARMSTRONG

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/ are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments see Appeal Brief, filed December 3, 2007, with respect to the rejection(s) of claim(s) 1, 19 and 20 under 35 U.S.C. 103(a) as being unpatentable over Polanyi in view of Pella et al and further in view of McCormick et al, have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of McCormick et al in view of Pella et al.

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-4, 7, 10-12, 14, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCormick in view of Pella.
3. McCormick discloses a learning activity platform and method for teaching a foreign language over a network.
4. Regarding claims 1, 19 and 20, McCormick discloses a system operating on a network, method and article of manufacture for use in a machine for learning a language (Figure 1; col. 1, lines 49 to col. 3, line 32) the system comprising: a memory for storing a scenario having tasks (64, 72) to be carried out in the language (col. 4, lines 9-26); a connection manager (6) able to accept one or more simultaneous connections (4, 4', 4'') requested over the network (10) from one or more user systems; a communication subsystem for providing at least one channel over which users of the user systems communicate text when carrying out the tasks in the language

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(Figure 1; col. 6, lines 10-18 and lines 35-42); a set of linguistic tools for receiving and disambiguating an identified term in specified text received from one of the connected user systems (128; col. 2, lines 29-36; col. 10, line 66 to col. 11, line 53); and a search subsystem for retrieving information on the network related to the specified text (128; col. 2, lines 29-31; col. 8, lines 24-30; col. 8, line 66 to col. 9, line 26). The teachings of McCormick (see col. 2, lines 29-31; col. 8, lines 24-30; col. 8, line 66 to col. 9, line 26; col. 10; line 66 to col. 11, line 53) describe the system can be used to teach vocabulary, form sentences and phrases and learn/improve writing skills and provides hints, clues and feedback related to the learning activities. McCormick does not specifically teach instructions, hints, clues and feedback provided to the user include example uses having a meaning similar to the identified term in the specified text to aid the users of the user systems to comprehend the text communicated in the language over the at least one channel. However, since the system of McCormick can be used to teach vocabulary words, providing examples or hints with information similar in meaning to text in the language being used in the learning activity would have been an obvious modification to ensure the user has a clear understanding of the vocabulary words and expands their knowledge of the foreign language.

McCormick does not disclose a virtual reality subsystem for representing the scenario in a physical setting in a user interface operating on each user system connected to the learning system. Pella discloses a method and system for teaching a language and evaluating language comprehension in a digitally synthesized, interactive three-dimensional graphical representation of an environment and within the environment, the user is given the opportunity to practice language skills by interacting with digital videos of people. It would have been obvious to one

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of ordinary skill at the time of the invention to modify the system of McCormick to provide a virtual reality subsystem for representing the scenarios in a physical setting, as taught by Pella, so as to provide a more realistic teaching session and improve the learning experience of the user.

Regarding claims 2-4, McCormick discloses a learning activity platform and method for teaching a foreign language over a network, and specifically teaches the use of a player profile that includes information related to interest, ability level, and topic subject matter for each player, such that objective and displayed content matter is geared to the profile of the player (col. 2, lines 51-55; col. 8, lines 52-65).

Regarding claim 7, McCormick discloses the set of linguistic tools measures a language level of text communicated over the at least one channel (col. 59, lines 6-10).

Regarding claim 10, the teachings of McCormick (see col. 2, lines 29-31; col. 8, lines 24-30; col. 8, line 66 to col. 9, line 26; col. 10, line 66 to col. 11, line 53) describe the system can be used to teach vocabulary, form sentences and phrases and learn/improve writing skills and provides hints, clues and feedback related to the learning activities. McCormick does not specifically teach instructions, hints, clues and feedback provided to the user include example uses having a meaning dissimilar to the identified term in the specified text to aid the users of the user systems to comprehend the text communicated in the language over the at least one channel. However, since the system of McCormick can be used to teach vocabulary words, providing examples or hints with information dissimilar in meaning to text in the language being used in the learning activity would have been an obvious modification to ensure the user

has a clear understanding of the vocabulary words and expands their knowledge of the foreign language.

Regarding claim 11, McCormick discloses recommender subsystem for receiving recommendations from and distributing those recommendations to selected ones of the users operating the user systems connected to the learning system (col. 8, lines 55-60).

Regarding claim 12, McCormick teaches a chat window/display (88,170,210) to allow the users/players to engage in text chat to pass and receive comments with other users.

Regarding claim 14, McCormick does not teach a converter for converting audio to text. However, providing for speech to text conversion was well known in the art, so as to provide a means of creating text documents via dictation. Pella discloses speech to text conversions at col. 9, lines 16-19. It would have been obvious to one of ordinary skill at the time of the invention to modify the system of McCormick to provide for speech-to-text conversion, as was well known in the art, for the purpose allowing users to create text documents via speech dictation.

Regarding claim 17, McCormick discloses a session database for recording session history of the tasks of the scenario carried out by the users operating the user systems connected to the learning system (col. 6, lines 57-64).

Regarding claim 18, McCormick discloses the session history provides a measure of one of user language ability and user capacity for carrying out assigned tasks (col. 6, lines 57-64).

5. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCormick in view of Pella and further in view of Murakami (US Patent No. 7,043,438).

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6. Regarding claims 8-9 McCormick does not teach monitoring a measure of social behavior over a channel is below a predefined minimum level so as to provide warnings or filter text. Murakami discloses a moral standard protecting system for use in voice and/or text communication and interactive gaming systems, which monitors any problem actions in morals such as aspersion, detraction, and decrial against the others in a voice and/or text communication such as chat, voice chat, electronic bulletin board, electronic message board, or the like and that restricts or rejects a utilization of a user who has done problem actions in morals. It would have been obvious to one of ordinary skill at the time of the invention to modify the system of McCormick to provide for a moral standard protecting system as suggested by Murakami, for the purpose of ensuring obscene or offensive material is not submitted to the system and to other users.

7. Claims 5-6, 13 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCormick in view of Pella and further in view of Murakami (US Patent No. 7,043,438).

Regarding claim 5, McCormick does not specifically disclose a language guesser for filtering out text communicated using the communication subsystem that is other than in the language. Polanyi discloses a system operating on a network for learning language and discloses a language guesser (220; col. 4, lines 40-56). It would have been obvious to modify the system of McCormick to implement a language guesser, as taught by Polanyi, to filter out text communicated using the communication subsystem that is other than in the language, so as to ensure students are learning and practicing the target language and thereby improve their knowledge of the foreign language.

Regarding claim 6, McCormick does not specifically disclose a language guesser for filtering out search results that are other than in the language. Polanyi discloses a language guesser for filtering out search results that are other than in the language (col. 4, lines 40-56). It would have been obvious to modify the system of McCormick to implement a language guesser, as taught by Polanyi, to filter out search results that are in a language other than in the target language, so as to ensure students are receiving information in the target language of choice ensuring participants are learning and practicing the target language.

Regarding claims 13, 15, and 16, The teachings of McCormick (see col. 2, lines 29-31; col. 8, lines 24-30; col. 8, line 66 to col. 9, line 26; col. 10, line 66 to col. 11, line 53) describe the system can be used to teach vocabulary, form sentences and phrases and learn/improve writing skills and provides hints, clues and feedback related to the learning activities. McCormick does not disclose a set of linguistic tools comprises one or more of a spell checker, a thesaurus, a morphological analyzer, a contextual disambiguator, a sense disambiguator, and a term extractor. Polanyi discloses a technique for teaching a second language writing skills which analyzes a user text to identify linguistic flaws in the text to determine differences in writing culture between the two languages. Therefore, it would have been obvious to modify the system of McCormick to implement the linguistic tools of Polanyi so as to realize McCormick's vocabulary, form sentences and phrases and learn/improve writing skills learning tasks.

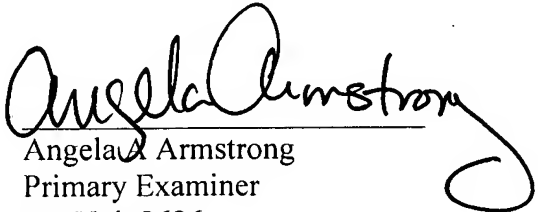


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANGELA A. ARMSTRONG whose telephone number is (571)272-7598. The examiner can normally be reached on Monday-Thursday 11:30-8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick N. Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Angela A. Armstrong  
Primary Examiner  
Art Unit 2626

AAA  
March 3, 2008